



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Patent Cooperation Treaty Legal Office

28 SEP 2000

Address: Assistant Commissioner for Patents
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In re Application of
GIORGI (deceased) et al
Application No.: 09/355,210
PCT No.: PCT/EP98/00599
Int. Filing Date: 04 February 1998
Priority Date: 07 February 1997
Attorney Docket No.: 515-4167
For: MONOCYCLIC COMPOUNDS WITH
FOUR BIFUNCTIONAL RESIDUES...

DECISION

This is a decision on applicants' "REQUEST FOR RECONSIDERATION" filed in the Patent and Trademark Office (PTO) on 12 July 2000, which again requests that the application be accepted under 37 CFR 1.42 as filed on behalf of a deceased joint inventor, Raffaello Giorgi. The request was accompanied by, *inter alia*, a declaration executed by the remaining inventors and the heirs of the deceased inventor and a "DECLARATION REPLACING THE ATTESTED AFFIDAVIT" (and translation thereof) by the widow of Mr. Giorgi, Rosaria Pirari, setting forth that the heirs signing the declaration of the inventors are all of Mr. Giorgi's heirs. The request is **GRANTED** as discussed below.

On 09 March 2000, this Office mailed a decision indicating that the application could not be accepted under 37 CFR 1.42 on the grounds that the persons who had executed the declaration on behalf of the deceased inventor did not appear to be the legal representative and/or all of the heirs of the deceased inventor.

A review of application file, and specifically the declaration and the accompanying statement of Ms. Pirari, reveals that the signatures of Rosaria Pirari (both on her own behalf and as the legal guardian of minor heirs Chiara and Gabriele Giorgi) and Alberta Giorgi on

the declaration filed 12 July 2000, are being offered as that of all the heirs of the deceased joint inventor. Therefore, the application papers have been found to be in compliance with 37 CFR 1.42.

In that the declaration of the inventors is acceptable under 37 CFR 1.42, the application satisfies the requirements for entry into the national stage in the U.S. under 35 U.S.C. 371. The papers filed under 37 CFR 1.42 are ACCEPTED.

The application has an international filing date of **04 February 1998**, under 35 U.S.C. 363, and a 35 U.S.C. 102(e) and 371(c) date of 12 July 2000.

This application is being forwarded to the National Stage Processing Branch of the International Division for continued national stage processing.



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